

prevention of grippe and common colds. The article would not be effective for such purposes.

DISPOSITION: March 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2091. Misbranding of Procon Tablets. U. S. v. 250 Bottles of Procon Tablets. Default decree of condemnation and destruction. (F. D. C. No. 16445. Sample Nos. 2652-H, 2653-H.)**

**LABEL FILED:** June 15, 1945, Southern District of West Virginia.

**ALLEGED SHIPMENT:** Between the approximate dates of April 30, 1943, and August 23, 1944, by the Allied Pharmacal Co., from Cleveland, Ohio.

**PRODUCT:** 124 20-tablet bottles and 126 200-tablet bottles of *Procon Tablets* at Charleston, W. Va.

**LABEL, IN PART:** "Murray's Procon Tablets."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the name "Procon" and the label statement "For The Temporary Relief of Incontinence" were false and misleading because the article would not be effective for the relief of incontinence.

DISPOSITION: November 7, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2092. Misbranding of Dietary Supplements. U. S. v. 72 Bottles of Wheat Germ Oil Capsules, 31 Bottles of Pure Soy Bean Lecithin Capsules, 12 Bottles of High Potency Vitamin C Tablets, 111 Bottles of Vitamin C Tablets, 10 Bottles of Mineral Capsules, 63 Bottles of Garlic Parsley Capsules, 17 Bottles of Dicalcium Phosphate and Vitamin D Tablets, 133 Bottles of Improved 'B' Complex Tablets, and 36 Jars of Malt-O-Soy, and a quantity of printed matter. Default decree of condemnation and destruction. (F. D. C. No. 15370. Sample Nos. 31967-H, 31973-H to 31983-H, incl.)**

**LABEL FILED:** May 1, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about April 2, 1945, by A. Hohensee, from Phoenix, Ariz.

**PRODUCT:** The above-mentioned *dietary supplements* at San Diego, Calif., together with a number of accompanying display cards entitled "The Wheel O' Life," a number of accompanying booklets entitled "The Health Success and Happiness Lectures 'High Blood Pressure,'" and "What About the Vegetables and Fruits We Eat Today?" and a number of accompanying booklets headed "Lecture Series on Health and Progress," with subheadings "How to Think and Attain Success," "Better Eyes Without Glasses," and "Your Personality Glands."

**NATURE OF CHARGE:** *Wheat Germ Oil Capsules.* Misbranding, Section 502 (a), certain statements in the booklets entitled "Lecture Series on Health and Progress Your Personality Glands" and on the display card were false and misleading since they suggested and implied that the article would be effective in the treatment or prevention of the pain and suffering associated with the menopause period; that it would prevent atrophy of the "personality" glands; that use of the article would assure a long life free from suffering and disease; that it would promote general well-being, vigor of personality, and mental and physical vigor; that it would prevent miscarriage and sterility; that it would be efficacious in the prevention and treatment of "angotrophic" lateral sclerosis; and that it would strengthen the sexual power of men. The article would not be effective in the treatment or prevention of the conditions named, nor would it otherwise fulfill the promises of benefit stated and implied.

*Pure Soy Bean Lecithin Capsules* [or *Pure Soy Bean Lecithin and Vitamin D Capsules*]. Misbranding, Section 502 (a), certain statements in an accompanying booklet entitled "Lecture Series on Health and Progress \* \* \* What is Brain Food?" were false and misleading since they represented and suggested that the article would be effective to nourish the brain, whereas the article would not be effective for such purpose.

*Vitamin C Tablets.* Misbranding, Section 502 (a), certain statements in the booklets entitled "Lecture Series on Health and Progress Better Eyes Without Glasses" were false and misleading since they represented and suggested that the article would correct or prevent faulty vision or other eye conditions, hay fever, asthma, and catarrh, whereas the article, either alone or in combination with other treatments, would not be effective for such purposes.

**Mineral Capsules.** Misbranding, Section 502 (a), certain statements in the booklets entitled "Lecture Series on Health and Progress Better Eyes Without Glasses" and "What About the Vegetables and Fruits We Eat Today?" and certain statements on the display card, were false and misleading since they represented and suggested that the article would prevent or correct faulty vision, asthma, hay fever, and sinus difficulties. The article, either alone or in combination with other treatments, would not be effective for such purposes.

**Garlic Parsley Capsules.** Misbranding, Section 502 (a), certain statements in the booklets entitled "The Health, Success and Happiness Lectures \* \* \* 'High Blood Pressure'" were false and misleading since they represented and suggested that the article would be effective in the treatment or prevention of high blood pressure, hardening of the arteries, headache, ear noises, rushing of blood to the head, heart palpitation, general weakness and debility, intestinal putrefaction, constipation, dyspepsia, "pyles," worms, influenza, rheumatism, chronic catarrh, and tuberculosis. The article would not be effective for such purposes.

**Dicalcium Phosphate and Vitamin D Tablets.** Misbranding, Section 502 (a), certain statements in the booklets entitled "Lecture Series on Health and Progress How to Think and Attain Success" and certain statements on the display card, were false and misleading since they represented and suggested that the article would be effective in nourishing the brain. The article, either alone or in combination with other substances, would not be effective for such purpose.

**Improved 'B' Complex Tablets.** Misbranding, Section 502 (a), certain statements in the booklets entitled "Lecture Series on Health and Progress Better Eyes Without Glasses" and certain statements on the display card, were false and misleading since they represented and suggested that the article would be effective in the prevention or treatment of faulty vision, hay fever, and inflamed eyes. The article, either alone or in combination with other products, would not be effective for such purposes.

**Malt-O-Soy.** Misbranding, Section 502 (a), the following label statements were misleading since they suggested and implied that the article would supply factors that would be effective in the treatment and prevention of the conditions named, whereas the article would not be effective in the treatment and prevention of those conditions, nor would it otherwise fulfill the promises of benefit suggested or implied: "\* \* \* hypoallergic and serves as \* \* \* protein diet in the cases of allergic people. \* \* \* It is a definitely alkalizing food and of great value in treating arthritis or dieting acid or ulcer states, and serves as an ideal non-residue diet of high nutrition value in intestinal disorders particularly amoebic dysentery, sprue and colitis. \* \* \* of known therapeutic value in intestinal disturbances \* \* \* the richest source and unquestionably the highest type of protein known. \* \* \* Malt-O-Soy Supplies every purpose of animal milk for the growing child, for the adult, and the pregnant or nursing mother."

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** June 18, 1945. No claimant having appeared, judgment of condemnation was entered and the products, including the printed matter, were ordered destroyed.

**2093. Misbranding of Yogurt Culture. U. S. v. 18 Packages of Rosell Institute's Original Yogurt Culture, and a number of circulars and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 18694. Sample No. 36947-H.)**

**LABEL FILED:** January 3, 1946, Western District of Washington.

**ALLEGED SHIPMENT:** By the International Yogurt Co., from Beverly Hills, Calif. The product was shipped on or about November 3, 1945, and the circulars were enclosed in the shipping cases with the product. The leaflets were shipped separately during the month of October 1944, subsequent to the shipment of the product.

**PRODUCT:** 18 packages of *Rosell Institute's Original Yogurt Culture*, 200 circulars entitled "Yogurt Culture A Health Aid," and about 500 leaflets entitled "Keep Young With Rosell Institute Yogurt Culture," at Seattle, Wash. Examination of the product showed that it was a culture of viable lactobacilli, as represented in the labeling.